

REMARKS

Reconsideration of the instant application is respectfully requested. The present amendment is responsive to the Office Action of October 20, 2005, in which claims 1-18 are presently pending. Of those, claims 1, 7 and 13 have been rejected under 35 U.S.C. §112, first paragraph, as more specifically set forth on page 2, paragraph 3 of the Office Action. Each of claims 1-18 is also rejected under 35 U.S.C. §112, second paragraph, as more specifically set forth on page 3, paragraph 5 of the Office Action. In additions, claims 1-18 are rejected under 35 U.S.C. §101 as being directed toward non-statutory subject matter as more specifically set forth on pages 4-7 of the Office Action.

With regard to the art of record, claims 1-3, 7-9 and 13-15 have been rejected under 35 U.S.C. §102(e) as being anticipated by the IBM publication entitled, "Managing Information Technology in a New Age" (IBM). In addition, claims 4, 10 and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over IBM. Claims 5, 11 and 17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over IBM, in view of U.S. Patent Publication 2002/0178095 by Vellante, et al. Finally, claims 6, 12 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over IBM, in view of Vellante, and further in view of U.S. Patent 6,675,149 to Ruffin, et al. For the following reasons, however, it is respectfully submitted that the application is now in condition for allowance.

As an initial matter, the objection to the disclosure has been overcome by the above amendments to the specification, resulting from the formal drawing version of Figure 6 encompassing two drawing sheets instead of the one sheet from the originally filed version. As such, "Figure 6" depicts a legend between the relationship between "Figure 6A" on sheet 5 and "Figure 6B" on sheet 6. However, no new matter has been

added since the subject matter contained in Figures 6A and 6B are entirely found within the "informal" version of Figure 6.

As outlined in further detail below, claims 1-3 and 7-9 have been amended in order to overcome the outstanding §112 first and second paragraph rejections, the §101 non-statutory subject matter, and the §102 and 103 rejections over the art of record. For purposes of illustration, claim 1, as currently amended, is reproduced below, along with supporting notations from the specification and figures:

1. A method for determining an information technology (IT) infrastructure strategy for an organizational entity, the method comprising:
 - configuring a two-dimensional strategy matrix having a plurality of discrete IT profiles defined therein, said IT profiles indicative of a defined cost/benefit value of IT, said strategy matrix further including a first axis corresponding to a degree of centralization of IT infrastructure and a second axis corresponding to a degree of consolidation (*Figures 3-5; page 9, line 11-page 10, line 23*);
 - for each of a plurality of infrastructure domains (*page 11, line 4 - page 12, line 3*), locating a customer value proposition within said strategy matrix, said customer value proposition comprising a user input indicative of value derived from the use of IT services (*page 9, lines 4-7*), wherein the location of said customer value proposition within said strategy matrix corresponds to a degree of centralization and consolidation to be applied to the IT infrastructure;
 - using the locations of said customer value propositions for said plurality of infrastructure domains to determine, within said strategy matrix, a best fit location therebetween (*page 13, line 25 - page 14 line 7*); and
 - using said best fit location to determine the IT infrastructure strategy, wherein said best fit location in said matrix corresponds to a degree of centralization and consolidation to be implemented for the IT infrastructure (*page 13, line 25 - page 14 line 7*).

§112, first paragraph rejections

Turning initially to the §112, first paragraph rejections, the Applicants point out that the independent claims no longer include the terminology “balances” as applied to “normalized centralization/consolidation strategy” and “centralization/consolidation strategies.” As for the term “localing a customer value proposition” now included in the amended claims, the Applicants submit that the specification does in fact enable a means of doing the same, as is discussed on page 9, lines 4-7 of the specification, for example.

§112, second paragraph rejections

Turning next to the §112, second paragraph rejections, the Applicants submit that the claim language, as now amended, also overcomes the present §112, second paragraph rejections. As will be noted, the preamble no longer recites the term “maximizing” and “improving” but instead uses definite terms such as “determining” and “matrix.” With regard to claims 4, 10 and 16, these claims more particularly define the individual strategies that make up the configured, four-quadrant strategy matrix that is now more specifically outlined in the amended claims. It is respectfully now submitted that any vague and indefinite terms have been appropriately corrected and that the §112, second paragraph rejections have been overcome.

§101 rejections

Turning now to the §101 rejections, the Applicants respectfully submit that the present claims, as now amended, define inventive subject matter that provides a useful, concrete and tangible result. First, the utility is expressly recited in the claims: a statutory class of invention (process) utilizes a configured construct (i.e., two-dimensional matrix) in conjunction with user input (customer value proposition) to determine, for each of a plurality of IT infrastructure domains, a discrete IT profile corresponding to a location on the matrix. One axis of the matrix represents a degree of centralization of IT infrastructure while the other axis represents a degree of consolidation of IT

infrastructure. A best fit location is then determined from the individual domain locations on the matrix to ultimately result in a useful determination of a strategy to be applied for an IT infrastructure for an organizational entity. Moreover, the result of the process implementation is tangible and concrete because it will result in a location on the defined four-quadrant matrix that in turn results in a defined consolidation and centralization profile for the IT infrastructure. Thus, given user input with regard to IT benefits within a given organization, the resulting output (best fit location of matrix locations for of each IT domain) yields, essentially, a useful recommendation on how to best implement the organization's IT infrastructure.

Further, claim 9 has been amended to recite a storage medium comprising a machine readable computer program code, and instructions for causing a computer to implement a method. Claims 13-18 have been cancelled.

Accordingly, it is respectfully submitted that the §101 rejections have been overcome and, as such, Applicants respectfully request withdrawal of the same.

§102 rejections

With regard to the art of record, the Applicants submit that the present amendment overcomes the outstanding §102 rejections based on the IBM publication "Managing Information Technology in a New Age." In particular, the IBM publication does not teach or disclose specific process operations such as "configuring a two-dimensional strategy matrix having a plurality of discrete IT profiles defined therein...", "for each of a plurality of infrastructure domains, locating a customer value proposition within said strategy matrix..." and "using the locations of said customer value propositions for said plurality of infrastructure domains to determine, within said strategy matrix, a best fit location therebetween..."

Although the IBM publication makes mention of certain topics discussed in the present application (e.g., centralization/de-centralization of IT control, desired interoperability of IT domains with one another, the importance of having a flexible and dynamic IT strategy), nothing therein teaches or disclosed the specifically claimed process steps that are implemented to result in the output "best fit" location within the configured strategy matrix. Therefore, because these elements are not present within the IBM publication, the claims cannot be anticipated thereby.

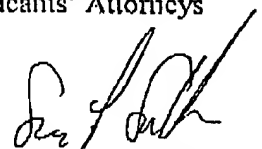
§103 rejections

Finally, the Applicants respectfully submit that the present amendment also overcomes the outstanding §103 rejections, since the combination of the cited references does not teach each and every element of the claims as now amended. Accordingly, it is respectfully requested that the §103 rejections also be withdrawn.

For the above stated reasons, it is respectfully submitted that the present application is now in condition for allowance. No new matter has been entered and no additional fees are believed to be required. However, if any fees are due with respect to this Amendment, please charge them to Deposit Account No. 09-0458 maintained by Applicants' attorneys.

Respectfully submitted,
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